



State of Tennessee Department of Children's Services

Administrative Policies and Procedures: 25.2-DOE

**Subject: Disciplinary Report/Notice of Hearing For Youth
 in Youth Development Centers**

supersedes: DYD 14.2

Approved by:

A handwritten signature in cursive script, appearing to read "George M. Hattaway", is written over a horizontal line.

**Effective
date:**

07/01/1990

Authority:

TCA 37-5-106

ACA Standard:

2-9296, 2-9297, 2-
9299

- I. APPLICATION: To all Youth Development Center staff and youth.
- II. POLICY: The Disciplinary Report/Notice of Hearing (Form CS-0055) shall be used to report all incidents where a youth is suspected of committing a major violation. As soon as determination of the infraction is made, but in no case more than twenty-four hours after the incident, the youth will be provided a written notice of alleged rule violation.
- III. PROCEDURES:
 - A. When a staff member believes that a youth has committed a major violation, such staff member shall issue a Disciplinary Report/Notice of Hearing to the youth. Such report shall be signed and dated by the reporting staff member and shall contain:
 - 1. The youth's name
 - 2. A plain, concise statement of what occurred, including the time and date and a description of any unusual behavior exhibited by the youth
 - 3. The date and time the report is issued
 - 4. All rule violations/charges of which the youth is being accused
 - 5. The name(s) of witness(es), both staff and youth
 - 6. The disposition of any physical evidence

7. Any immediate action taken, including the use of physical intervention beyond verbal commands
 8. A statement of youth rights
 9. The date, time, and place of the disciplinary hearing.
- B. The number of offenses(s) which most nearly describes the youth's alleged behavior shall be circled and all pertinent information requested on the form (Form CS-0055) shall be included. The reporting staff member shall complete the report and present it to the youth for his/her signature. The staff member shall explain to the youth that signing the report is not an admission of guilt. If the youth refuses to sign the report, the reporting staff member shall so indicate by placing the statement, "refuses to sign," in the space provided for the youth's signature. This statement shall be initialed by the reporting staff member.
- C. Before asking the youth to sign the report (Form CS-0055), the reporting staff member shall read and/or explain it to the youth in a manner which enables him/her to understand the charge(s) and his/her rights. The staff member shall take into account the youth's academic/intellectual capabilities and current emotional state. The staff member shall explain in an impartial manner the waiver of rights and shall determine whether the youth understands them. The reporting staff member shall further explain to the youth that he/she may not exercise his/her waiver of rights at the time the Disciplinary Report/Notice of Hearing is issued.
- D. A staff member other than the reporting staff member may complete, read, and/or explain the report to the youth and present it to the youth for his/her signature, if circumstances exist which would make it unsafe, difficult, impossible for the reporting staff member to do so.
- E. The report shall be completed in duplicate. The original shall be forwarded to the Hearing Officer/Discipline Committee Chairman. A copy of the report shall be given to the youth.
- F. When a youth is being charged with seven minor violations (#23), the Disciplinary Report/Notice of Hearing shall include the documentation verifying the seven rule violations.

IV. FORMS: CS-0055

**(Note: This Policy Cannot Be Revised Without Prior Permission
of Chancery Court, Davidson County, Nashville, Tennessee.)**